

4517

KANE COUNTY DEVELOPMENT DEPARTMENT
Zoning Division, Kane County Government Center
719 S. Batavia Avenue
Geneva, Illinois 60134
Office (630) 444-1236 Fax: (630) 232-3411

Received Date

APPLICATION FOR ZONING MAP AMENDMENT
AND/OR SPECIAL USE

Instructions:

To request a map amendment (rezoning) for a property, complete this application and submit it with all required attachments to the Subdivision and Zoning Division.

When the application is complete, we will begin the review process.

The information you provide must be complete and accurate. If you have a question please call the subdivision and zoning division, and we will be happy to assist you.

1. Property Information:	Parcel Number(s): 03-31-300-046 03-31-300-047
	37W507 Big Timber, Elgin IL 60123

2. Applicant Information:	Name: BDA Properties, LLC	Phone: 847-888-1010
	Address: 984 Glenmore, Elgin, IL 60123	Fax:
	Attn: Charles Kellenberger Attn: Greg Kellenberger	Email: kci85@yahoo.com greg@kellenbergerplumbing.com

Owner:	Name: BDA Properties, LLC	Phone: 847-888-1010
	Address: 984 Glenmore, Elgin, IL 60123	Fax:

Zoning and Use Information:

2040 Plan Land Use Designation of the property: Urban neighborhood/mixed use infill.

Current zoning of the property: F District Farming

Current use of the property: Office of contractors; and residential rental dwelling; cell tower on Parcel 03-31-300-046.

Proposed zoning of the property: B3 District – Business with special use for outside storage

Proposed use of property: Buildings for contractor's offices and yards with outside storage of equipment and inventory as an ancillary use.

If the proposed Map Amendment is approved, what improvements or construction is planned? (An accurate site plan may be required)

1. The existing single family residence will be demolished with all residential use to be discontinued;
2. The building in the center of the property, which had been used as a plumbing contractor's office, but which recently completely destroyed fire, will be rebuilt;
3. The additional improvements of storm water detention pond, gate and on-site parking will be installed per the site plan; and
4. The existing sanitary septic system and well will continue to be used.

Attachment Checklist

Plat of Survey prepared by an Illinois Registered Land Surveyor

Legal description

Completed Land Use Opinion (Available in pdf form at www.kanedupageswed.org/luo.pdf), as required by state law, mailed to: The Kane DuPage Soil and Water Conservation District, 545 S. Randall Road, St. Charles, IL 60174. **A waiver has been requested**

Endangered Species Consultation Agency Action Report (available in pdf form at <http://dnr.illinois.gov/ecopublic/>) to be filed with the Illinois Department of Natural Resources. (*This report may best be accessed with Internet Explorer on some computers, per the State) **A waiver has been requested**

List of record owners of all property within 250 feet of the subject property [**To be supplied by the County to the Applicant**]

Trust Disclosure (if applicable)

Findings of Fact Sheet

Application fee (make check payable to Kane County Development Department) **\$2,250.00** [> than 5 acres and , 10 acres]

[Signature page follows]

I (we) certify that this application and the documents submitted with it are true and correct to the best of my (our) knowledge and belief.

BDA Properties, LLC



Greg Kellenberger, a Manager

7/29/19

Date

August 26, 2019

BDA Properties, LLC (*Kellenberger*)
Rezoning from F-District Farming to B-3 Business District with a Special Use for outside
storage

Special Information: The petitioner has been operating a business in violation of the Zoning Ordinance for many years. The parcel is surrounded by light industrial uses surrounding this parcel which were annexed and developed in the City of Elgin. This spring a fire destroyed part of the building containing one of the businesses. The petitioner is seeking a rezoning to allow the businesses to continue to operate and to rebuild the building that was destroyed. The City of Elgin has reviewed the petition and has no objection to the rezoning request. The property is surrounded by mostly business uses to the east, south and west as well as some farmland and one residence to the north.

Analysis: The Kane County 2040 Land Resource Management Plan designates this area as Urban Neighborhoods/Mixed Use Infill. The purpose of this designation is to protect and improve existing residential neighborhoods and identify opportunities for the creation of additional livable, sustainable and healthy neighborhoods and communities.

Staff recommended Findings of Fact:

1. The rezoning will bring the existing business use into conformance with the Zoning Ordinance.
2. The proposed uses are compatible with the light industrial uses surrounding this parcel which were annexed and developed in the City of Elgin.

Attachments: Location Map
 Township Map
 Petitioner's finding of fact sheet

Findings of Fact Sheet– Map Amendment and/or Special Use

- The Kane County Zoning Board is required to make findings of fact when considering a rezoning. (map amendment)
- You should “make your case” by explaining specifically how your proposed rezoning relates to each of the following factors.

BDA Properties, LC

July _____, 2019

Name of Developer/Applicant

Date

1. How does your proposed use relate to the existing uses of the property within the general area of the property in question?
Commercial and industrial uses are situated immediately west, east and south of the Subject Property. The trend of development is commercial/industrial.
2. What are the zoning classifications of properties in the general area of the property in question?
Commercial/industrial for properties in the City of Elgin; F-Farming for properties remaining in unincorporated Kane County.
3. How does the suitability of the property in question relate to the uses permitted under the existing zoning classification?
The property may not be used as currently zoned (F-Farming District). The property is too small to be farmed and has not been farmed for many, many years. The property is not appropriate for residential use and development, being adjacent to a business road and virtually surrounded by nearby industrial use.
The property should be rezoned to B3 to better match its historic use and the use of nearby property.
4. What is the trend of development, if any, in the general area of the property in question?
Industrial/commercial
5. How does the projected use of the property, relate to the Kane County 2040 Land Use Plan?
The Kane County 2040 Land Use Plan shows the property as “Urban neighborhood/mixed use infill” That classification is ill-advised, given the surrounding City of Elgin industrial uses and the trend of industrial development in the area. .

Findings of Fact Sheet – Special Use

Section 10.4-2-n
Special Use Request

July _____, 2019
Date

- The Kane County Zoning Board is required to make findings of fact when considering a rezoning. (map amendment)
- Special Uses shall be considered at a public hearing before the Zoning Board of Appeals. In its report of findings of facts, recommendations shall be made to the County Board following the public hearing. The zoning Board **will not** recommend a special use **unless** the following items are addressed:
 6. Explain how the establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.
The subject property has been used for commercial uses (contractors' offices) with outside storage for many years. This use has not been, and will not be detrimental to nearby uses (which are primarily commercial/industrial).
 7. Explain how the special use will not be injurious to the use, enjoyment and value of other property in the immediate vicinity.
The proposed special use will not be injurious to the use, enjoyment and value of property in the immediate vicinity which are primarily industrial.
 8. Explain how the special use will not impede the normal, orderly development and improvement of the surrounding property.
The property abutting the subject property on its west, east and southerly boundaries is already fully developed with industrial uses.
 9. Will adequate utility, access roads, drainage and other necessary facilities be provided? Please explain:
Yes; the existing access from Big Timber Road will be maintained. (Traffic movement will be extremely light, and will be diminished by the demolition of the residential structure.) The private utility of on-site sanitary system and on-site private well will be maintained.
 10. Will adequate measures be provided for ingress and egress and so designed to minimize the traffic and congestions? Please explain:
Yes; traffic movement through the existing access point is (and will continue to be) minimal and has not proven to be a traffic hazard for the many years of such use.
 11. Will the special use conform to the regulations of the district in which it is located? Please explain:
Yes.

COPY

BDA PROPERTIES, LLC
Attn: Greg Kellenberger
984 GLENMORE LANE
ELGIN, IL 60123

July 29, 2019

Kane County Health Department
Attn: Erin Rauscher, Environmental Health Supervisor
1750 Grandstand Place
Elgin, IL 60123

Re: Property at 37W507 Big Timber Road, Elgin, Illinois
Tax Parcel 03-31-300-047

Dear Ms. Rauscher:

In follow-up to your recent conversation with our attorney, Peter C. Bazos, we advise you as follows:

1. There were three structures on this property until very recently:
 - a. A general contracting warehouse;
 - b. A plumbing contractor's office; and
 - c. A residential rental structure.
2. We are demolishing the residential rental structure and rebuilding the plumbing contractor's office (which recently burned down).
3. The property has, for many years, been serviced by a septic system which has the following characteristics:
 - a. Size of tank: 1,000 gallon concrete tank
 - b. Length of field: 460 LF (8 lines)
 - c. The location is as shown on the attached site plan.
4. The property is also served by a private well which is situated as shown on the attached site plan.
5. The separation between the well and the septic field is approximately 80 feet.
6. There are generally no more than 5-6 employees present on the property at any one time. Additionally, no customers visit the site.

We look forward to hearing from you to confirm our ability to continue to use our private septic system and well. Thank you.

Very truly yours,



Greg Kellenberger

CC: Peter C. Bazos, Esq.

STORM WATER CALCULATIONS

Schefflow Engineers
Date: 7/24/2019

Kellenberger

SITE VOLUME REQUIREMENTS:

1. First inch of runoff control from the impervious area of development on the site shall be the volume control storage.

Total Area of Impervious added since 2002

	Area (sf)	Area (ac)
Total	89440	2.053

Volume Required to Retain 1In of Rainfall over all Impervious Areas

1 in = 0.08333 feet

$$\frac{0.0833 \text{ feet multiplied by } 89440 \text{ square feet equals } 7453 \text{ cubic feet}}{0.0833 \text{ feet multiplied by } 2.053 \text{ acres equals } 0.171 \text{ acre-ft}}$$

Volume Provided in Pond

Detention Volume

Elevation (ft)	Area (sf)	Volume (cf)	Volume Sum (cf)
868.0	7443.0	0.0	0.0
869.0	9045.0	8231.0	8231.0
870.0	10757.0	9888.6	18119.6
871.00	12570.0	11651.7	29771.4
872.00	14484.0	13515.7	43287.1
872.25	14979.0	3682.7	46969.8

$$\text{Total Volume Provided } \frac{46969.8 \text{ cf}}{1.078 \text{ acre-ft}}$$

Conic Method for Reservoir Volume:

$$\text{Volume} = (1/3) * (EL2 - EL1) * (Area1 + Area2 + \text{sq.rt.}(Area1 * Area2))$$

Retention Volume

Elevation (ft)	Area (sf)	Volume (cf)	Volume Sum (cf)
866.5	2240	0.0	0.0
867.00	5957.0	1975.0	1975.0
868.00	7443.0	6686.2	8661.2

$$\text{Total Volume Provided } \frac{8661.2 \text{ cf}}{0.199 \text{ acre-ft}}$$

Conic Method for Reservoir Volume:

$$\text{Volume} = (1/3) * (EL2 - EL1) * (Area1 + Area2 + \text{sq.rt.}(Area1 * Area2))$$

Infiltration Volume 0.0185 acre-ft

TOTAL VOLUME PROVIDED =	1.296 acre-ft
--------------------------------	----------------------



11/2019 7/29/19
Frank C. Cuda

KELLENBERGER PLUMBING AND HEATING
BIG TIMBER ROAD

DATE: 7-24-19

ORDINANCE REQUIRES INFILTRATION STORAGE OF THE FIRST
1" OF RAINFALL OVER THE IMPERVIOUS AREAS
TO

IMPERVIOUS AREA: 1.93 ACRES

REQUIRED INFILTRATION STORAGE = 1.93 x (1/12) = 0.161 ACRE-FT

INFILTRATION VOLUME PROVIDED

VOLUME TO BE PROVIDED WITHIN EXCESS DETENTION VOLUME BELOW PROPOSED
OUTLET AND PROPOSED GRAVEL INFILTRATION TRENCH BELOW THE PROPOSED
DETENTION VOLUME

PROPOSED VOLUME:

ADDITIONAL DETENTION SYSTEM OPEN VOLUME = 0.153 ACRE-FT
(PER ATTACHED)

STONE INFILTRATION TRENCH BELOW DETENTION SYSTEM
VOLUME = 56.0' x 40.0' x 1.0' x 0.36 VOID RATIO = 806 C.F. = 0.0185 ACRE-FT

TOTAL PROPOSED VOLUME = 0.1715 ACRE-FT

STONE INFILTRATION TRENCH CALCULATION:

SOIL INFILTRATION PER KANE COUNTY SOIL MAP
0.30 "/HR/SF = 0.025 CF/HR/SF

5 DAYS = 120.00 HRS.

0.153 AC-FT x 43560 = 6,665 CF

6,665 CF ÷ 120 HR = 55.54 CF/HR

55.54 CF/HR ÷ 0.025 CF/HR/SF = 2222 SF REQUIRED

MASTER DESIGN STORM SUMMARY

Network Storm Collection: MyCounty

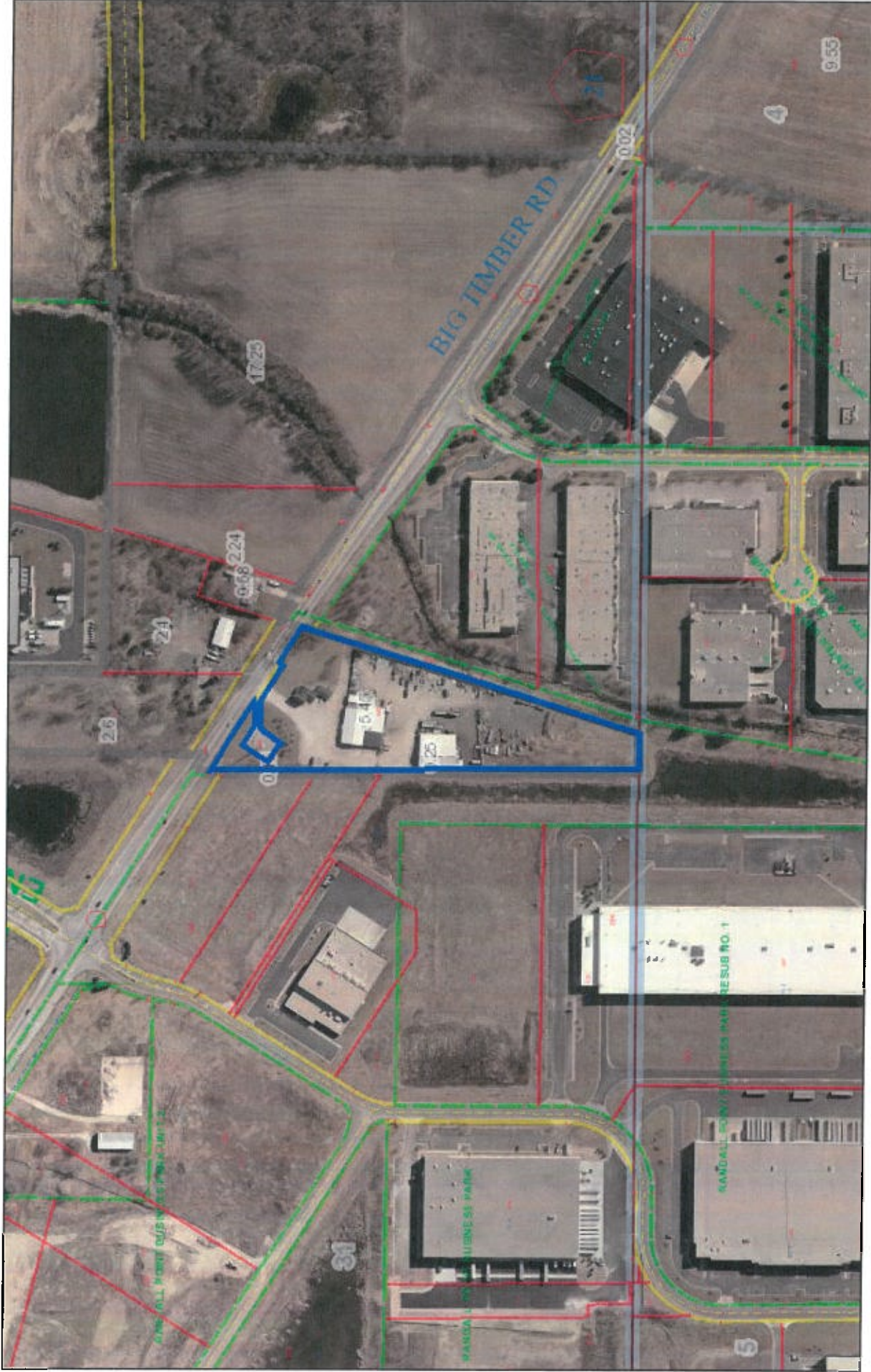
Return Event	Total Depth in	Rainfall Type	RNF ID
2	3.0400	Synthetic Curve	00- 10 3rdQ 50%
100	7.5800	Synthetic Curve	00- 10 3rdQ 50%

MASTER NETWORK SUMMARY
SCS Unit Hydrograph Method

(*Node=Outfall; +Node=Diversion;)
(Trun= HYG Truncation: Blank=None; L=Left; R=Rt; LR=Left&Rt)

Node ID	Type	Return Event	HYG Vol ac-ft	Trun	Qpeak hrs	Qpeak cfs	Max WSEL ft	Max Pond Storage ac-ft
*OUT 20	JCT	2	.248		22.2000	.10		
*OUT 20	JCT	100	1.198		23.7000	.25		
POND 20	IN POND	2	.455		15.6000	.76		
POND 20	IN POND	100	1.405		15.5000	2.09		
POND 20	OUT POND	2	.248		22.2000	.10	869.00	.387
POND 20	OUT POND	100	1.198		23.7000	.25	872.00	1.193
SUBAREA 20	AREA	2	.455		15.6000	.76		
SUBAREA 20	AREA	100	1.405		15.5000	2.09		

Map Title

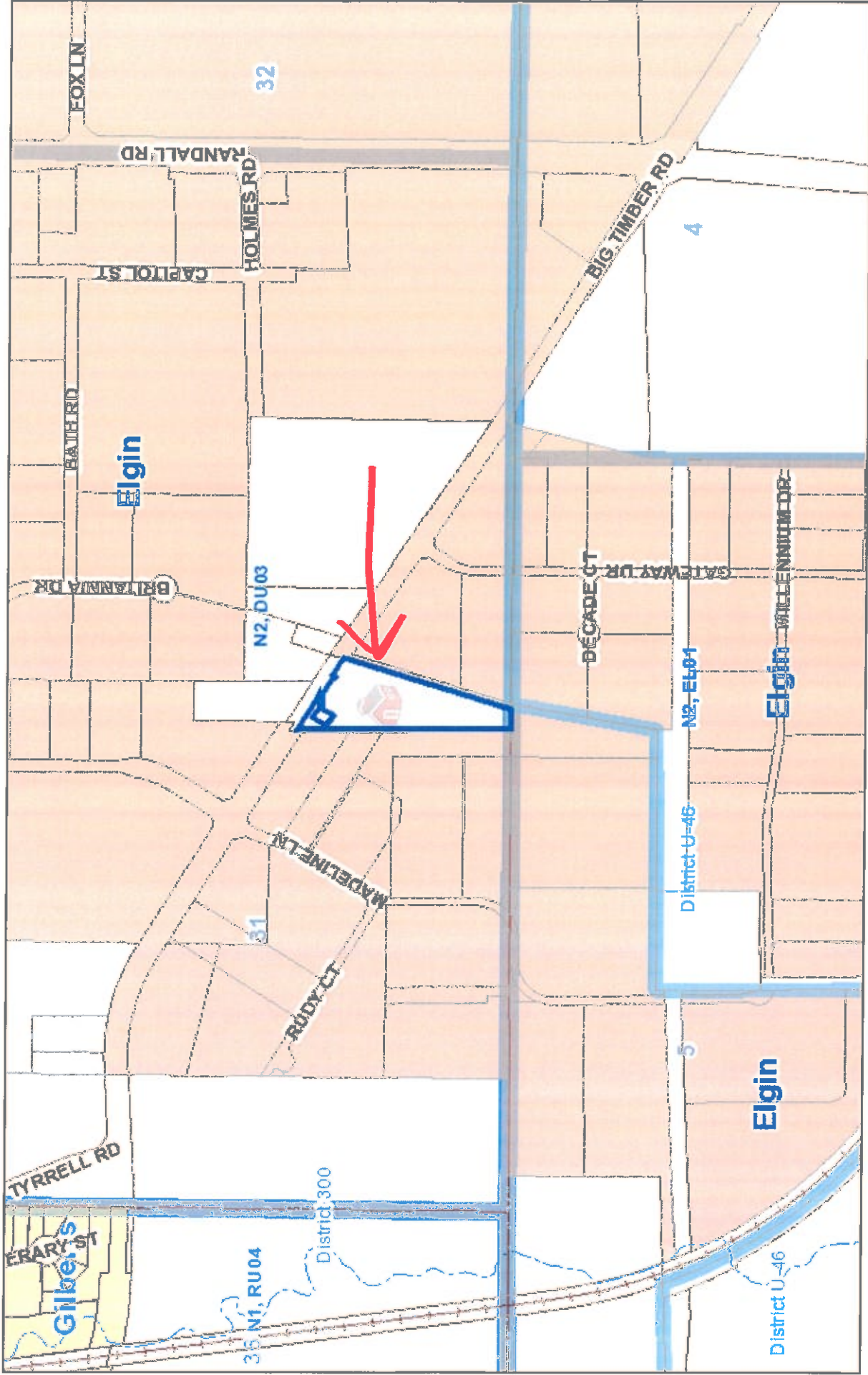


July 30, 2019

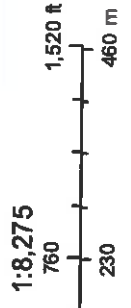
These layers do not represent a survey. No Accuracy is assumed for the data delineated hereh, either expressed or implied by Kane County or its employees. These layers are compiled from official records, including plats, surveys, recorded deeds, and contracts, and only contains information required for local government purposes. See the recorded documents for more detailed legal information.

GIS-Technologies
Kane County (Illinois)

Map Title



August 23, 2019



GIS-Technologies

These layers do not represent a survey. No Accuracy is assumed for the data delineated herein, either expressed or implied by Kane County or its employees. These layers are compiled from official records, including plats, surveys, recorded deeds, and contracts, and only contains information required for local government purposes. See the recorded documents for more detailed legal information.

GIS-Technologies
Kane County Illinois

Berkhout, Keith

From: McGraw, Keith
Sent: Friday, August 2, 2019 10:51 AM
To: Berkhout, Keith; Schoedel, Carl
Cc: Nika, Kurt; Rickert, Tom
Subject: RE: Zoning petition for review
Attachments: 2019-07-31 Zoning change B-3 w special use.pdf

Keith,

In regard to the attached zoning request for B3 with special use, KDOT has the following stipulations:

- The petitioner shall dedicate a 60-foot half right of way from centerline of Big Timber Road.
- Any intensification will require access to be moved through the existing access easement to the west, to Madeline Drive.

As always, if you have any questions, please don't hesitate to reach out.

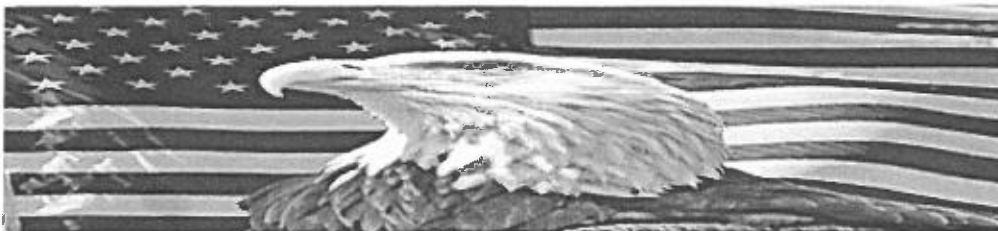
Thank you,

Keith McGraw
Kane County Division of Transportation – Permitting Section

From: Berkhout, Keith <BerkhoutKeith@co.kane.il.us>
Sent: Wednesday, July 31, 2019 3:52 PM
To: Schoedel, Carl <schoedelcarl@co.kane.il.us>
Cc: McGraw, Keith <McGrawKeith@co.kane.il.us>; Nika, Kurt <nikakurt@co.kane.il.us>
Subject: Zoning petition for review

Keith T. Berkhout
Zoning Planner

Kane County Department of Development and Community Services
719 S. Batavia Avenue
Geneva, Illinois 60134
630-232-3495
berkhoutkeith@co.kane.il.us



Berkhout, Keith

From: Dave Waden <waden_d@cityofelgin.org>
Sent: Wednesday, July 31, 2019 4:25 PM
To: Berkhout, Keith
Subject: EX: RE: Zoning petition for review from Kane County

Keith,
As Bazos states in his letter to the county, the city has no issues with the proposal.

Thanks,
Dave

From: Berkhout, Keith [mailto:BerkhoutKeith@co.kane.il.us]
Sent: Wednesday, July 31, 2019 3:53 PM
To: Dave Waden <waden_d@cityofelgin.org>
Subject: Zoning petition for review from Kane County

Keith T. Berkhout
Zoning Planner

Kane County Department of Development and Community Services
719 S. Batavia Avenue
Geneva, Illinois 60134
630-232-3495
berkhoutkeith@co.kane.il.us

